

next assessment after such change in the by-laws is made."

Committee Amendment No. 7.

Amend Section 13 by striking out the figures "250" and inserting in lieu thereof the figures "500."

Committee Amendment No. 8.

Amend Section 14, line 7, by striking out the words, "except local mutual aids."

Committee Amendment No. 9.

Amend Section 19 by striking out the words, "and not complying with this Act" in line 3 of said section.

Committee Amendment No. 10.

Amend Section 19 by striking out the following words:

"Except as herein expressly provided, no insurance law of this State shall apply to any corporation operating under this Act, and no law hereafter enacted shall apply to them unless they be expressly designated therein."

And insert in lieu thereof the following:

"Except as herein expressly provided the general insurance law of this State where applicable shall apply to any corporation operating under this Act, and all laws hereafter enacted where applicable shall apply to them unless they be expressly prohibited by the terms of this Act."

The insurance laws of this State shall apply to the corporations operating under this law except in so far as they may conflict with the provisions of this Act.

Committee Amendment No. 11.

Amend S. B. No. 253 by striking out Section 20 of the bill and renumber the remaining sections accordingly.

Committee Amendment No. 12.

Amend S. B. No. 253 by amending the caption to conform to committee amendments.

THIRTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
March 7, 1933.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by President Pro Tem. Walter Woodul.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Russek.

Committee Reports.

(See Appendix.)

Bills and Resolutions

By unanimous consent, the constitutional rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bill:

By Senators Blackert and Fellbaum:

S. B. No. 426, A bill to be entitled "An Act repealing Chapter 241 of the Special Laws of Texas, passed by the Forty-second Legislature at its Regular Session, as amended by Chapter 29 of the General and Special Laws of Texas, passed by the Forty-second Legislature at its First Called Session, to create and establish the San Antonio River Canal and Conservation District, under authority of Section 59 of Article 16 of the Constitution; and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

Bill Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign in the presence of

the Senate, after its caption had been read, the following bill:

S. B. No. 184.

Senate Bill No. 422.

The question recurred upon the motion to take up out of its regular order S. B. No. 422.

Senator Holbrook moved to adjourn until 10 o'clock tomorrow morning. The motion was lost by the following vote:

Yeas—11.

Blackert.	Oneal.
DeBerry.	Pace.
Holbrook.	Parr.
Hopkins.	Poage.
Martin.	Rawlings.
Murphy.	

Nays—18.

Beck.	Purl.
Collie.	Redditt.
Cousins.	Regan.
Duggan.	Russek.
Fellbaum.	Sanderford.
Greer.	Stone.
Hornsby.	Woodruff.
Moore.	Woodul.
Patton.	Woodward.

Absent.

Small.

Absent—Excused.

Neal.

The motion to take up S. B. No. 422 was lost by the following vote:

Yeas—18.

Beck.	Patton.
Blackert.	Rawlings.
Cousins.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Stone.
Moore.	Woodul.
Parr.	Woodward.

Nays—11.

Collie.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Holbrook.	Purl.
Martin.	Woodruff.
Murphy.	

Absent.

Small.

Absent—Excused.

Neal.

(Two-thirds vote required.)

S. C. R. No. 21.

Senator Woodward called up from the table:

S. C. R. No. 21, Granting G. B. White and B. White permission to sue the State.

The committee report recommending that the resolution be not printed was adopted.

Read and adopted.

Motion to Reconsider.

Senator Moore called up the motion spread on the Journal to reconsider the vote by which S. B. No. 421 was finally passed. The motion prevailed.

The bill was finally passed by the following vote:

Yeas—22.

Beck.	Poage.
Cousins.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Oneal.	Woodul.
Patton.	Woodward.

Nays—8.

Blackert.	Murphy.
Collie.	Pace.
DeBerry.	Parr.
Holbrook.	Woodruff.

Absent—Excused.

Neal.

Senate Bill No. 424.

Senator Purl moved to suspend the regular order and take up S. B. No. 424. The motion was lost by the following vote:

Yeas—8.

Beck.	Oneal.
Cousins.	Purl.
Greer.	Regan.
Moore.	Woodruff.

Nays—16.

Blackert.	DeBerry.
Collie.	Fellbaum.

Holbrook.	Poage.
Hornsby.	Rawlings.
Martin.	Redditt.
Murphy.	Russek.
Pace.	Woodul.
Parr.	Woodward.

Absent.

Duggan.	Sanderford.
Hopkins.	Small.
Patton.	Stone.

Absent—Excused.

Neal.

Adjournment.

Senator Oneal moved to adjourn until 9:30 o'clock tomorrow morning.

Senator Purl moved to adjourn until 10 o'clock tomorrow morning. The motion prevailed and at 2:58 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,
Austin, Texas, March 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 184 carefully examined and compared and find same to be correctly enrolled.

GREER, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 20, A bill to be entitled "An Act fixing the time for making election returns by presiding judges in general and special elections, and amending Article 3123 so as to fix the time for making precinct and county election returns in party primary elections and fixing a penalty for the failure to make such returns within the time prescribed by this Act."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

POAGE, Chairman.

Committee Room,
Austin, Texas, March 7, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 376, A bill to be entitled "An Act creating the office of county purchasing agent in certain counties; fixing his term of office and providing for the commissioners court to adopt the system of rules for said office, providing for the removal of said officer and fixing his salary, providing for assistants and fixing their salary, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments, and be not printed.

HOPKINS, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 376, original bill, page 2, Section 1, line 7 by striking out the words "District Judges" and inserting in lieu thereof the words "commissioners courts."

Committee Amendment No. 2.

Amend H. B. No. 376, original bill, page 3, Section 2, line 2 by striking out the words "District Judges" and insert in lieu thereof the words "commissioners courts."

Committee Amendment No. 3.

Amend H. B. No. 376, original bill, page 3, Section 3, line 3 by striking out the words "thirty-six hundred (\$3600.00) dollars" and insert in lieu thereof the following: "Twenty-four hundred (\$2400.00) dollars."

Committee Amendment No. 4.

Amend H. B. No. 376, original bill, page 3, Section 5, line 2 by striking out the words "District Judges" and insert in lieu thereof the following: "commissioners courts" and by striking out the words and figures in line 3 "Eighteen hundred (\$1800.00) dollars" and insert in lieu thereof the following: "Fifteen hundred (\$1500.00)

dollars," and in line 8, by striking out the words "General Fund" and insert in lieu thereof the words "Road and bridge fund."

Committee Amendment No. 5.

Amend H. B. No. 376, original bill, in Section 5, Page 4, lines 1 and 2 thereof, by striking out the following: "and such other assistants as may be necessary to properly discharge the duties of his office," and in line 3 thereof by striking out the word "assistants" and inserting in lieu thereof the word "assistant."

Committee Amendment No. 6.

Amend H. B. No. 376 in Section 9, Page 7, line 8 thereof by adding the following: "Provided, however, that this section shall not apply to the custody and control of machinery, equipment, trucks, cars, teams, wagons, harness, tools, supplies, materials and other property that is now or may be hereafter used in connection with the maintenance, repairs, drainage or construction of the county roads of said counties."

Committee Amendment No. 7.

Amend H. B. No. 376, in Section 9a, Page 7, line 1, by adding after the word "all" in line 1 the word "such," and after the word "supplies" in line 2, the words "of which he is the custodian under the terms of this Act."

Committee Amendment No. 8.

Amend H. B. No. 376, original bill, in Section 10, Page 8, line 2 thereof by striking out the word "county" and inserting after the word "officer" the words "or employee," and by adding after the word "officer" in line 8 the words "or employee."

THIRTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
March 8, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Oneal.	Woodward.

Absent—Excused.

Neal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent of the membership of the Senate, the rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills:

By Senators Small and Woodul:

S. B. No. 427, A bill to be entitled "An Act to amend Article 1160, Penal Code, 1925, and amendatory Act, entitled H. B. No. 761, enacted by the Forty-second Legislature of the State of Texas at its Regular Session, 1931, relating to the offense of assault with intent to murder, and adding to Chapter 4, Title 15, Penal Code of the State of Texas, Article 1160a, providing that upon the trial of one charged with the offense mentioned there shall be an instruction defining malice aforethought and in a proper case, murder without malice; fixing the penalty for assault with intent to murder without malice; fixing the penalty for assault with intent to murder when committed upon any duly elected and qualified Executive, Judicial or Administrative Officer of the United States or any State thereof or upon any such person who has been duly elected to any such office and not yet qualified, and repealing all laws in conflict